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Notice of Allowability	Application No.	Applicant(s)	
	09/848,871	JABER ET AL.	
	Examiner	Art Unit	
	Kevin C. Harper	2616	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--
 All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to applicant's remarks of July 5, 2006.
2. ☒ The allowed claim(s) is/are 1,3-9,11-17 and 19-24.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---|--|
| <ol style="list-style-type: none"> 1. <input type="checkbox"/> Notice of References Cited (PTO-892) 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) 3. <input type="checkbox"/> Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____ 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | <ol style="list-style-type: none"> 5. <input type="checkbox"/> Notice of Informal Patent Application 6. <input type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____ 7. <input type="checkbox"/> Examiner's Amendment/Comment 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance 9. <input type="checkbox"/> Other _____ |
|---|--|

Response to Arguments

Applicant's arguments filed July 5, 2006 concerning the speed of the connections have been fully considered and are persuasive. The previous rejection has been withdrawn.

Applicant's arguments filed July 5, 2006 have been fully considered but they are not persuasive.

1. Applicant argued that Derby does not disclose that each adapter examines every packet on the bus. However, because there is no dedicated access to network resources (col. 6, lines 9-17) each adapter must examine every packet to determine if the packet is destined to itself (col. 6, lines 40-45).
2. Applicant argued that Derby does not disclose intra RTP connections between internal RTP components. However, an intra RTP connection is represented by a packet being transferred between any two of the adapters of the subnode of fig. 2. Adapters 24-26 provide connections with other adapters of nodes (RTPs), and thus represent connections between RTPs as claimed.
3. Applicant argued that Derby does not disclose asymmetric connections between RTPs. However, using a reasonably broad interpretation the network configuration of Derby has an asymmetric configuration because the active connections of fig. 6 are not symmetric between subnodes and nodes. Therefore, Derby discloses asymmetric connections between RTPs. A single connection between adapters 15 and 16 would not be considered as asymmetric in Derby; however, the claims do not recite a single asymmetric connection. This new interpretation of Derby was incorporated into a new ground of rejection different than the ground of rejection presented in the Office Action of August 2005.

Allowable Subject Matter

Claims 1, 3-9, 11-17 and 19-24 are allowed (renumbered as 1-21, respectively).

The following is an examiner's statement of reasons for allowance: In agreement with applicant, Derby does not disclose the speed of connections of the network. In the previous rejection Examiner considered an intra RTP connection to be a packet transfer between any two adapters of a subnode of Derby (fig. 2). However, the speed of this packet transfer is not disclosed in Derby. In addition, the relationship of the intra RTP connection speed to the speed of connections between RTPs (nodes of Derby) is not disclosed, where a connection between RTPs is represented by packet transfer on any of the transmission links between the nodes using any of external adapters 24-26.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kevin Harper whose telephone number is 571-272-3166. The examiner can normally be reached weekdays from 11:00 AM to 7:00 PM ET.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Doris To, can be reached at 571-272-7629. The centralized fax number for the Patent

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Office is 571-273-8300. For non-official communications, the examiner's personal fax number is 571-273-3166 and the examiner's e-mail address is kevin.harper@uspto.gov.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications associated with a customer number is available through Private PAIR only. For more information about the PAIR system, see portal.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Kevin C. Harper

September 16, 2006